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FISCAL IMPACT STATEMENT

LS 6915

BILL NUMBER: SB 265

NOTE PREPARED: Dec 30, 2009

BILL AMENDED:

SUBJECT: Resisting Law Enforcement and License Suspension.

FIRST AUTHOR: Sen. Arnold

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill provides that the driver's license of a person convicted of resisting law enforcement while using a vehicle will be suspended for one year after the date the person is convicted (if the person is not incarcerated) or released from incarceration. It specifies in which court a petition for a hardship license must be filed. The bill requires the court to notify the Bureau of Motor Vehicles (BMV) of the person's conviction, and specifies that the convicted person has the burden of applying for a new or renewal license and establishing that the one-year period has elapsed. This bill authorizes the forfeiture of a vehicle used to commit resisting law enforcement if the person has a prior unrelated conviction for resisting law enforcement in the past ten years.

Effective Date: July 1, 2010.

Explanation of State Expenditures: For the BMV, the suspensions required in this proposal will be handled under current suspension procedures and will require no additional expenditures on the part of the BMV. The fund affected is the Motor Vehicle Highway Account, which supports the BMV. The BMV has averaged about 328,000 suspensions annually for the period CY 2004 through CY 2008.

Explanation of State Revenues: The forfeiture provisions could result in additional revenue (after reimbursement for law enforcement expenses) accruing to the State Police, the State Excise Police, Gaming Agents, Gaming Control Officers, and the Conservation Enforcement Officers if the forfeited vehicle is sold. In addition, the law enforcement agencies involved also could use the vehicle for their own law enforcement purposes.

Explanation of Local Expenditures:

Explanation of Local Revenues: The forfeiture provisions could result in additional revenue (after reimbursement for law enforcement expenses) accruing to local law enforcement agencies if the vehicle is sold. In addition, the law enforcement agencies involved also could use the vehicle for their own law enforcement purposes.

State Agencies Affected: State Police; State Excise Police; Gaming Agents; Gaming Control Officers; Conservation Enforcement Officers.

Local Agencies Affected: Local law enforcement agencies.

Information Sources:

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